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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

DONNA BROWER,

Plaintiff,

v.

MCDONALD'S CORPORATION, a Foreign
Corporation licensed to do business in Nevada,

Defendant.

Case No.: 2:19-cv-02099-GMN-BNW

STIPULATION TO EXTEND DEADLINE

(Sixth Request)

Pursuant to Federal Rules of Civil Procedure 6 and 16(b)(4) as well as L.R. IA 6-1, L.R. IA 6-2 and L.R. 7-1, Defendant McDonald's Corporation ("Defendant" or "McDonald's") and Plaintiff Donna Brower ("Plaintiff" or "Brower"), by and through their respective attorneys, hereby stipulate and agree to extend the discovery cutoff by eighty-three (83) days, up to and including Thursday, December 9, 2021.

As with the Parties' Fifth Request, this Request is for the limited purpose of extending the deadline to allow the Court to rule on Plaintiff's pending motion to compel (Dkt. #54) filed on September 15, 2021. The motion to compel relates to the completion of the Fed. R. Civ. P. 30(b)(6) depositions. Currently, the Court has set the matter for hearing on November 18, 2021 (Dkt.#55), however, this date is not only after the close of discovery, but is after the current dates set for dispositive motions and the pre-trial order. Accordingly, the Parties request an extension of time to complete any items order by the Court at the November 18th hearing, and to be able to have all discovery matters resolved prior to the filing of dispositive motions and the pre-trial order.

This is the Parties' sixth request to extend the discovery cut-off deadline. The first was granted March 27, 2020 and was a result to the COVID-19. The second and third, granted June 29, 2020 and December 29, 2020, respectively, were necessary due to the illness and subsequent death of Plaintiff's daughter. The fourth stipulation was granted on July 2, 2021 and was necessary to locate the former employee with potential knowledge of the noticed topic and the fifth request was granted on July 23, 2021, to allow the Fed. R. Civ. P. 30(b)(6) depositions to be completed.

In accordance with L.R. 26-4(a)-(d), the parties provide the following information in support of this stipulation to extend discovery and other pretrial deadlines:

(a) Discovery Completed

The Parties have served their initial disclosures as well as supplemental disclosures. Defendant served its first set of written discovery to which Plaintiff has responded. Plaintiff served her first and second set of interrogatories, as well as her first, second, third, and fourth requests for production and first set of requests for admissions. All written discovery has been responded to by the Parties. The parties have completed Plaintiff's deposition, the depositions of two of Defendant's witnesses, and six out of eight topics pursuant to Plaintiff's Rule 30(b)(6) deposition notice.

(b) Discovery That Remains To Be Completed

Deposition on one topic (out of eight total topics) in Plaintiff's Rule 30(b)(6) deposition notice if the Court rules favorably on Plaintiff's pending motion to compel.

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(c) Reasons Why The Deadline Was Not Satisfied Or The Remaining Discovery Was Not Completed Within The Time Limits Set By The Discovery Plan

The remaining topic in Plaintiff's Rule 30(b)(6) deposition notice was the subject of a deposition taken on September 2, 2021. Plaintiff has subsequently filed a motion to compel alleging the deponent was not properly prepared and thereby provided vague responses. The hearing on Plaintiff's motion to compel is scheduled to be heard on November 18, 2021. Federal Rule of Civil Procedure 6(b)(1) governs extension of time and provides that "the court may, for good cause, extend the time... if a request is made, before the original time or its extension expires." The Parties hereby stipulate and agree to continue or extend the discovery for by eighty-three (83) days, up to and including Thursday, December 9, 2021, in complete any further Rule 30(b)(6) deposition ordered by the Court.

(d) Proposed Schedule for Completing All Remaining Discovery

In accordance with LR 26-4(d), the Parties propose the following schedule for completing all remaining discovery:

1. Discovery Cut-Off Date: Currently, Friday, September 17, 2021, proposed change to **Thursday, December 9, 2021, for the limited purpose of completing the 30(b)(6) deposition if so ordered by the Court.**

2. Dispositive Motion Date: Currently, Friday, October 15, 2021, proposed change to **Monday, January 10, 2022.**

3. Pretrial Order Date: Currently, Friday, November 12, 2021, proposed change to **Thursday, February 10, 2022.**

For the reasons set forth above, the Parties stipulate and agree to extend the discovery cutoff and the other pretrial deadlines as detailed herein for the discovery cutoff by eighty-three (83) days, up to and including Thursday, December 9, 2021, and neither Party will be prejudiced by the extension of the deadlines above.

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1 Dated: September 29, 2021

Dated: September 29, 2021

2 Respectfully submitted,

Respectfully submitted,

3 /s/ Mary F. Chapman

/s/ Alison Lungstrum Macneill

4 MARY F. CHAPMAN, ESQ.

ALISON LUNGSTRUM MACNEILL, ESQ.

5 Law Office of Mary F. Chapman, Ltd.

(Admitted Pro Hac Vice)

6 *Attorney for Plaintiff Donna Brower*

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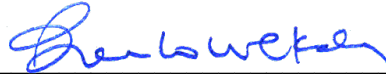
Campbell Litigation, P.C.

7 DUSTIN L. CLARK, ESQ.

Dustin L. Clark, Attorney at Law

8 *Attorneys for Defendant McDonald's Corp.*

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13 **IT IS SO ORDERED.**

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15 UNITED STATES MAGISTRATE JUDGE

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17 DATED: October 5, 2021